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Held at Headquarters, New York, on Monday, 9 November 1998, at 3 p.m.

Chairman: Mr. Carranza (Vice-Chairman) (Guatemala)**Contents**Agenda item 110: Human rights questions (*continued*)

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In the absence of Mr. Hachani (Tunisia), Mr. Carranza (Guatemala), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

Agenda item 110: Human rights questions (continued)

(A/53/3, 58, 74, 75, A/53/77-S/1998/171, A/53/79, 80, A/53/94-S/1998/309, A/53/99-S/1998/344, A/53/131-S/1998/435, A/53/165-S/1998/601, A/53/167, 203, A/53/205-S/1998/711, A/53/214, 215, A/53/225-S/1998/747, A/53/343, 404, 425, 489, 493, 494, A/53/497-S/1998/951 and A/53/557; A/C.3/53/4, 5, 7, 9, 12 and 13)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (continued)

(A/53/72-S/1998/156, A/53/81-S/1998/225, A/53/82-S/1998/229, A/53/83-S/1998/230, A/53/86-S/1998/240, A/53/89-S/1998/250, A/53/93-S/1998/291, A/53/95-S/1998/311, A/53/98-S/1998/335, A/53/113-S/1998/345, A/53/115-S/1998/365, A/53/268, 279, 284, 293 and Add.1, 304, 309, 313, 324, 337, 400 and 501; A/C.3/53/6; A/C.3/53/L.5)

(c) Human rights situations and reports of special rapporteurs and representatives (continued)

(A/53/84-S/1998/234, A/53/114, 120, A/53/182-S/1998/669, A/53/188, 322 and Add.1, 355, 364, 365, 366, 367, 402, 423 and Corr.1, 433, 490, 504, 530, 537, 539 and 563; A/C.3/53/5 and 8)

(e) Report of the United Nations High Commissioner for Human Rights (continued)
(A/53/36)

1. **Ms. Sibal** (Observer for the United Nations Educational, Scientific and Cultural Organization (UNESCO)) introduced the report of the Director-General of UNESCO on the implementation of the Declaration of Principles on Tolerance and the Follow-up Plan of Action for the United Nations Year for Tolerance, contained in document A/53/284. The Declaration was the expression of both a moral duty and a political commitment. It recognized the rich diversity of the world's peoples and cultures and firmly rejected violence and the futile quest for uniformity. Its adoption by the UNESCO General Conference on 16 November 1995 had marked the culmination of the United Nations Year for Tolerance.

2. In the years since then, UNESCO had continued its campaign to mobilize public opinion against the rising tide of intolerance manifested in xenophobic violence, exclusion

and discrimination, aggressive nationalism, terrorism and extremism, and violations of the right to freedom of opinion and expression. The Organization's strategy was two-pronged: it sought, first, to influence public opinion in favour of tolerance by demonstrating, through a series of cultural and social events worldwide, how tolerance was linked to peaceful coexistence, and, second, to assist people involved in educating for tolerance by providing them with literature setting out improved methods for teaching languages, information on human rights and international institutions, and approaches to history teaching which emphasized the variety and diversity of the world's cultures. The media also had a key role to play. The UNESCO media strategy focused on freedom of information and the enhancement of media resources in developing countries, including through international, regional and national training programmes.

3. The first International Day for Tolerance had been observed on 16 November 1996, the anniversary of the adoption of the Declaration. Numerous States had expressed support for the UNESCO Tolerance Programme and various publications on the matter had been distributed. In 1997, information about the Day had appeared in the news media in every country without exception. Several countries, among them Benin, Brazil, Germany, Senegal, Togo and Uganda, had organized public events, including seminars, cultural conferences and debates on a variety of themes.

4. The report also described the pedagogical activities undertaken by UNESCO in order to disseminate the principles of the Declaration, including the production of posters and teaching kits, and highlighted the activities of four regional networks established in the Mediterranean/Black Sea Basin, Asia and Pacific, Africa and Latin America regions to strengthen tolerance and non-violence. It was vital that Member States too should make their contribution to disseminating the ideals of tolerance.

5. **Mr. Baali** (Algeria) said that the principles of the universality and indivisibility of human rights had never been more relevant than in the context of the process of globalization which was currently transforming society, erasing borders, removing barriers and reducing differences. The international community had an unprecedented opportunity to extend the realm of human rights to the outermost reaches of the planet. It was important to ensure, however, that the task was accomplished in a spirit of cooperation and partnership and without any kind of paternalism, selectivity or political calculation. Also, there was a need to recall one of the central tenets of the Vienna Declaration and Programme of Action, namely, that democracy, development and respect for human rights and

fundamental freedoms were interdependent and mutually reinforcing.

6. While democratic governance was taking root throughout the world, however, there had been little progress with respect to the promotion of economic and social rights. The structural adjustment programmes implemented in many countries with a view to improving their economies and allowing their eventual integration in the global market had brought only greater suffering, poverty and exclusion. Even within the United Nations system, action in the economic and social field was made conditional upon the effective realization of civil and political rights, to the detriment of the former. Progress in the promotion of human rights could be accomplished only through the adoption of a comprehensive approach which encompassed all human rights, including the right to development.

7. He expressed regret that no action had been taken thus far with respect to the rationalization of human rights mechanisms, because of a lack of political will. He hoped that the issue would be taken up in the near future in a serious and coherent manner befitting a question of such importance. In that connection, the treaty-monitoring bodies must strive to engage in a more fruitful dialogue with States parties, since a confrontational approach most often proved counterproductive. It was also important that those bodies should conduct their activities within the framework of their mandates. Accordingly, any new approach entailing the examination of States parties' reports in their absence should be rejected. Moreover, there was no provision in international treaty law which restricted the right of States, upon acceding to or ratifying an instrument, to enter reservations or make interpretative declarations, because no instrument could take into account the concerns of every State party, and it was not within the competence of other States, still less the treaty-monitoring bodies, to make pronouncements as to the legality of those reservations. It was also important, in the interests of transparency and fairness, that States should be made aware of any supplementary information received by the treaty-monitoring bodies from other sources, so that they were able to put their own case. As to the membership of the treaty bodies, the principle of equitable geographical representation must be more strictly observed. In the recent elections to those bodies, the representation of the developing world in general, and of Africa in particular, had been eroded.

8. Despite the ravages of terrorism, Algeria had embarked upon a vast programme of national reconstruction aimed at establishing the rule of law, creating democratically elected, pluralist institutions, implanting human rights in society and revitalizing the economy with a view to achieving sustained

growth and a more equitable distribution of wealth. The institutional reforms had already been completed. More than 25 political parties were currently active in Algeria and 10 were represented in the National Assembly. There were some 54,000 associations and non-governmental organizations, and a dynamic and independent press. The Government had appointed a human rights ombudsman and there were several human rights leagues. A Council of State had recently been established with a view to strengthening the independence of the judiciary and providing an additional avenue of appeal for citizens in cases of human rights violations by the authorities. His Government was committed to developing its relations with the human rights treaty-monitoring bodies, since it was convinced that their recommendations, provided that they were offered in a spirit of cooperation, could contribute to the enhancement of the exercise of human rights in Algeria. The people of Algeria had embraced modernity and progress, guaranteeing that democracy and human rights would develop and flourish.

9. Ms. Mdoe (United Republic of Tanzania), speaking on agenda item 110 (c), said that her delegation had noted with interest the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Burundi (A/53/490). It was unfortunate that the Special Rapporteur had not been able to present his report in person owing to the injuries which he had sustained in an accident while visiting Burundi, thus depriving the Committee of the opportunity to engage in a dialogue with him and to draw his attention to inaccuracies in the report. In that document, the Special Rapporteur acknowledged receipt of a copy of a letter dated 5 May 1998 from the Permanent Representative of the United Republic of Tanzania in Geneva to the Chairman of the Commission on Human Rights. He did not appear, however, to have heeded the comments made in that letter concerning the misrepresentation in his two previous reports of the purpose and scope of the economic sanctions imposed on Burundi. His current report was equally misleading and subjective, and he had glossed over the realities of the human rights situation in Burundi.

10. As previously stated by her delegation, the economic sanctions imposed on Burundi by neighbouring States in the wake of the military coup of 26 July 1996 would be lifted when that country committed itself to a political settlement. The onus therefore rested squarely with Burundi. The sanctions, moreover, were limited in scope and balanced humanitarian concerns with the need to sustain the ongoing peace process. A third round of talks had recently concluded in Arusha, and their resumption was scheduled for January 1999. The Arusha talks represented the only hope

of bringing peace to Burundi. It was regrettable therefore that the Special Rapporteur had paid so little heed to those regional arrangements, which had the support of both the Organization of African Unity and the United Nations.

11. Her delegation was dismayed at the allegation in paragraph 37 of the report that the territory of the United Republic of Tanzania served as the main point of entry and exit for rebel incursions into the territory of Burundi. A recent investigation conducted jointly by the Office of the United Nations High Commissioner for Refugees and the Tanzanian authorities had concluded that there was no evidence of any military activities in or around the refugee camps located in Tanzania. She called upon the Special Rapporteur to desist from making such groundless allegations and to carry out his mandate in a more responsible manner.

12. **Mr. Burleigh** (United States of America) said that his country was well aware of its own shortcomings. It had struggled with the fight for true equality and continued to work for justice and civil rights at home. However, injustice and oppression would never be addressed until they were recognized and named aloud, or until nations were called to account. Highlighting some of his delegation's concerns with human rights around the world, he said that a particular concern was the continued oppression of women and girls. Oppression took many forms: it was clear that in the absence of civil and political rights, countries would often be condemned to poverty and underdevelopment, but that same poverty could inhibit the enjoyment of human rights.

13. His delegation was deeply concerned at reports of ethnic-based mass arrests and summary executions, religious persecution, deportations, and rape and abuses against women in Afghanistan. The entire world had condemned the Taliban's treatment of women and girls, who were truly Afghanistan's silenced — not silent, but silenced — majority. The people of Myanmar also continued to suffer under one of the most repressive authoritarian military regimes in the world. The human rights record of the State Peace and Development Council could only be described as dismal, and his delegation called on it to enter into a meaningful dialogue with the political opposition. He also looked to the good offices of the Secretary-General to ensure that such a dialogue began swiftly. If Myanmar failed to achieve national reconciliation, it would continue to suffer its decades-long plight of narcotics abuse and trafficking, lack of education and widespread poverty.

14. Perhaps nowhere in the world was there as clear an illustration of the linkage between political and economic rights as in the Democratic People's Republic of Korea,

where the Government had made no discernible progress in 1998 and had continued its notoriously poor human rights record. Its consistent failure to provide even the most basic sustenance for its people could not be separated from the fact that its rule was pervasive and all-intrusive. The Government should take positive steps to respect the fundamental human rights of its citizens.

15. In the western hemisphere, despite an overwhelming move towards democracy, the decades-long status quo in Cuba remained essentially unchanged and freedom of speech, assembly and association remained severely restricted. The exercise of those rights led to harassment, arrest and imprisonment, and the Cuban regime allowed no avenues for a change in government.

16. In Africa, the already unacceptable human rights situation in the Great Lakes region had deteriorated further with the outbreak of hostilities in the Democratic Republic of the Congo in August 1998. His delegation condemned any Government's collusion with genocidal militia groups, such as the former Rwandan Armed Forces and the Interahamwe, and was also concerned about human rights abuses in territory controlled by the Congolese rebels. The situation in both Rwanda and Burundi also remained a source of great concern, as insurgent attacks on civilians continued. Abuses had been committed by the armed forces of both countries as part of counterinsurgency operations, but in recent months both armies appeared to have curtailed their abuses. The human rights situation in the region needed to be monitored.

17. In the Sudan, some of the most egregious human rights violations in the world continued, seemingly unnoticed and often unreported. Fifteen years of brutal civil war had left nearly 2 million people dead, most of them civilians. Famine and rape were used as weapons of war. The Government had regularly interfered with the delivery of relief supplies to victims of that terrible conflict, and credible reports persisted of slavery and the slave trade, to which the Government must put a stop. There was also widespread persecution of Christians and animists. Arbitrary arrests, disappearances and torture were widespread, as were reports of the abuse of women and children. The Sudan also supported the Lord's Resistance Army, which had carried off thousands of children from Uganda, murdering some of them and turning others into slaves or child soldiers. The civil war was blamed for many of those abuses, but there was no excuse for such acts. His delegation called on the Government of the Sudan and the Sudan People's Liberation Movement to negotiate seriously at the Intergovernmental Authority on Drought and Development peace talks.

18. In Iraq, freedom of thought, expression, religion, association, assembly and movement simply did not exist, nor was there any protection from arbitrary arrest, torture, imprisonment or summary execution. Iraq was ruled by a repressive one-party regime, controlled by Saddam Hussein and his family, and the Commission on Human Rights had in 1998 condemned the "all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror". The Special Rapporteur on the situation of human rights in that country had found strong evidence that hundreds of prisoners had been executed in Iraqi prisons in the past year. In southern Iraq, the Shia minority leadership had been the target of assassinations attributed to the Iraqi regime, and reports continued of serious repression of the Marsh Arabs and of the destruction of their way of life and the unique ecology of the marshes. In northern Iraq, the Government continued forcibly to expel tens of thousands of ethnic Kurds and Turkomen from the cities, and seizures of land from the Kurds were frequent. Six hundred Kuwaitis and other non-Iraqis who had disappeared at the hands of the Iraqi authorities during the occupation of Kuwait remained unaccounted for, and Iraq showed no indication that it intended to comply with Security Council resolution 688 (1991) demanding that it stop repressing its own people.

19. In Belarus, an authoritarian regime was engaging in serious and frequent human rights violations and there was scant respect for even the most basic democratic rights. A dictatorial executive branch controlled the judiciary and effectively suppressed freedom of speech and association and subjected its citizens to arbitrary arrest, detention, fines, beatings, threats and harassment. The Government had gone so far as to intimidate and interfere with international human rights monitors. Such flagrant violations could not continue indefinitely.

20. The year 1998 had seen some of the worst abuses of human rights in Kosovo. In contrast to Serbia, Montenegro had shown great compassion in caring for the nearly 50,000 internally displaced persons forced out of Kosovo by the Draconian tactics of President Milosević. His delegation also had serious concerns about the human rights situation in Croatia, whose Government continued to block the development of a democratic society and judicial reform and continued severely to restrict freedom of assembly and association. The Government's 1998 refugee return programme was, however, commendable.

21. There were also examples of progress during 1998. Despite its recent history, in Bosnia and Herzegovina an independent press was developing and a pluralist democracy with citizens' participation was rapidly expanding. The

Government must do more, however. His delegation was concerned at the continuing impediments to the return of displaced minorities, and more work needed to be done to prevent the harassment and even murder of those who returned.

22. China had taken several positive steps towards increased respect for human rights, but serious problems remained. While public petitions and open calls for political change were fairly common, sharp limits remained on what was permissible, and organized opposition to the Communist Party was not tolerated. Measures taken by the authorities to limit political activities included harassment, detention and travel restrictions. Recent actions also indicated that the Chinese authorities might be moving to tighten recently loosened restrictions on fundamental freedoms.

23. In Nigeria, there had been significant improvements in human rights in the past four months. His delegation commended the Government for the promising steps which it had taken. In Algeria, the work of the panel of eminent persons was a good first step towards cooperation in addressing the ongoing and truly horrific human rights violations perpetrated in the course of the brutal terrorist insurgency. He was also encouraged that in the Islamic Republic of Iran, the Government had sought to advance the rule of law and international dialogue. Despite expressions of good intentions, however, the actual record remained troubling. In conclusion, his delegation pledged to continue the fight for human rights, both at home and abroad.

24. **Mr. Friedkalns** (Latvia) said that 1998 had been an important year in the field of human rights in Latvia. Constitutional, juridical and legislative reforms had been introduced. In October 1998, the Constitution had been amended to include articles setting forth fundamental human rights and freedoms. As a result of a referendum, Latvia's laws on citizenship now conformed to the international standards of organizations such as the Organization for Security and Cooperation in Europe. A series of laws had been enacted which expanded the legislative basis of his Government's human rights policy. That policy was built on the belief that compliance with European Union and United Nations standards was essential, and it was a result of the ongoing discourse within civil society. The formulation of human rights policy was occurring in the context of a process shaped by historical and social circumstances. His Government was open to constructive involvement, but believed that it was counterproductive to debate out of context laws that had been passed by national legislatures. Education, the mass media and language were the basic human rights issues in Latvia and were widely debated at various levels, including the Government, non-governmental

organizations, academic institutions and international expert bodies. His Government was grateful for the assistance of the United Nations Development Programme (UNDP) in attaining the objectives of the integration of Latvian society.

25. In the twentieth century, flagrant violations of human rights had been committed by two totalitarian occupation regimes in Latvia. Consequently, Latvia was particularly sensitive to the responsibilities of Governments to defend human rights and strengthen democracy and social welfare. Unfounded accusations by others were not conducive to creating a constructive atmosphere for debate in forums such as the Third Committee.

26. Latvia acknowledged with appreciation the assessment in the fields of human rights and political development made by the Commission of the European Union the previous week. It was willing to share with all nations its recent experience in positively addressing the legacy of occupation and establishing stable democratic institutions.

27. Mr. Tin (Myanmar) said that, since taking office on 18 September 1988, his Government had restored stability and normalcy to Myanmar. After half a century of insurgencies which had devastated the country, peace and stability had meant that national infrastructure-building and socio-economic development could be effectively pursued. Myanmar had chosen the path of democracy: his Government was building a genuine democratic State with a market-oriented economic system. Its firm commitment to the establishment of a disciplined, democratic multiparty system, in harmony with Myanmar's traditions and culture and the aspirations of its people, was totally consistent with the Charter of Economic Rights and Duties of States. Given the problems faced by the country's 135 nationalities in the past and the need to consolidate national unity, peace and stability, his Government had concluded that the latter objective could be achieved only through the National Convention process.

28. On 16 September 1998, however, the National League for Democracy (NLD) had unilaterally issued a declaration stating that it was establishing a 10-member committee which would perform the duties of the Parliament until the latter could be convened under the Election Law of 1990. That committee had subsequently declared that all laws, acts, regulations, orders and directives issued by the Government since 18 September 1988 were to be considered annulled, but where did that leave the 1990 Election Law and the 1990 elections, not to mention the law establishing political parties, including NLD? It had become obvious that, in attempting to gain power by short-circuiting the National Convention process, the NLD leadership was undermining

the peace, stability and economic development of Myanmar's people. Mass rallies attended by tens of thousands of citizens had voiced their concern and opposition, and other legally constituted political parties had condemned NLD for its actions. The Government had shown great restraint and leniency towards NLD, despite the latter's brazen attempts to destabilize the political situation. However, it had been constrained to invite elected members of NLD to some guest houses to forestall the illegal convening of Parliament; many of them had since returned home.

29. Referring to the comments made by some delegations regarding the internal situation in Myanmar, he said that their perception of the situation and their allegations regarding the promotion of democracy and human rights had no validity and did not reflect the actual situation. Some delegations had placed personality over policy by promoting the name of a single individual, something which ran counter to the principles of democracy. The Government and people of Myanmar could no longer tolerate confrontational acts aimed at inciting public unrest and obstructing the National Convention process. They did not believe that haphazard democracy achieved through confrontation and the personality of a single person would ensure a peaceful and happy future.

30. Mr. Akunwafor (Nigeria) said that the fiftieth anniversary of the Universal Declaration of Human Rights provided an opportunity to refocus attention on those rights and freedoms which were essential to the maintenance of human dignity, including the right to development. His delegation was pleased that the programme for the fiftieth anniversary was gaining worldwide acceptance, but believed that serious attention needed to be given to the question of differing circumstances and experiences in the enjoyment and application of human rights, depending on culture, level of development, economic situation, resources and capacities. The international community must make sure that people had confidence in international efforts to guarantee the enjoyment of human rights through the application of international instruments and mechanisms. Moreover, it was essential that the principles of non-selectivity, objectivity and impartiality should continue to guide the application of existing mechanisms for assessing the human rights situation in individual States.

31. Nigeria was a party to all the major international human rights instruments. It believed in the concept of the universality, indivisibility and interdependence of human rights and fundamental freedoms, and considered that all aspects of human rights should be given equal emphasis in order to guarantee that every man, woman and child was able

to live in dignity and without fear of persecution. In recognition of its primary responsibility for the promotion and protection of the rights of its citizens, the Government remained fully committed to its obligations. It had established an independent National Human Rights Commission, as recommended in the Vienna Declaration and Programme of Action. Since ratifying the Convention on the Elimination of All Forms of Discrimination against Women in 1985, it had introduced programmes such as the family support programme and the family economic advancement programme and had established government institutions such as the federal Ministry of Women's Affairs and Social Development and state ministries of women's affairs, which were helping to improve the living standards of both rural and urban women in Nigeria.

32. Since the current administration had taken office on 9 June 1998, much had been achieved in the promotion of fundamental human rights, good governance, accountability and the rule of law. His Government had embarked on a bold, far-reaching programme of democratization and respect for human rights. All political prisoners had been released, including General Obasanjo, the former Head of State; the "Ogoni 20" had been released; charges against former detainees had been dropped; nine political associations had been registered to participate in the upcoming elections; self-exiled opposition figures, including Mr. Wole Soyinka, had returned to Nigeria; the freedoms of expression, peaceful assembly and association were being protected; non-governmental organizations, student unions, professional bodies and labour unions were functioning freely; prison reform had been undertaken; and an independent National Electoral Commission had been established to organize the elections. Those steps had been recognized and encouraged by the international community, including the Commonwealth, the European Union and the United States, which had decided to lift the sanctions against Nigeria.

33. The report of the Special Rapporteur did not reflect the true situation of human rights in Nigeria. The Special Rapporteur was to visit Nigeria from 23 November to 1 December 1998, and Nigeria looked forward to the outcome of his mission. In the meantime, it appealed to the international community for continued support and cooperation.

34. **Ms. Barghouti** (Observer for Palestine) said that the item under consideration should be one of the top priorities of the international community. Gross violations of human rights occurred daily all over the world. The United Nations must take stronger measures to implement the international human rights instruments, based on the recognition that all

human rights were universal, indivisible, interdependent and interrelated. The fiftieth anniversary of the Universal Declaration of Human Rights provided an opportunity for the international community to renew its commitments and meet its obligations in combating all human rights violations, and to develop innovative ways and means of monitoring and guaranteeing the implementation of human rights instruments.

35. The human rights situation in the occupied Palestinian territories, including Jerusalem, continued to be of great concern. Israel, the occupying Power, was persisting in its oppressive policies and practices against the Palestinian people, in grave violation of international humanitarian law. In addition to collective violations, including foreign occupation, deprivation of the right to self-determination, confiscation of land and natural resources, and building of illegal settlements, it was guilty of various individual violations, including detention, imprisonment, torture and obstruction of movement and means of livelihood. Those policies and practices were jeopardizing the peace process.

36. The international community could not allow 7 million people belonging to an ancient civilization to be controlled and dominated by Israel. The United Nations had a responsibility to give more attention to the flagrant violations being committed against peoples living under foreign occupation, particularly the Palestinian people, as called for in the Vienna Declaration and Programme of Action. The Palestinian people were deeply concerned about the continuing difficulties in the peace process, but remained hopeful that there would soon be real and positive change on the ground, leading to genuine progress with regard to their human rights and living conditions.

37. **Mr. Pedersen** (Observer for the International Federation of Red Cross and Red Crescent Societies) said that he wished to highlight a few key areas in which the Federation and its member societies were involved in securing basic human rights for millions of people, especially the victims of natural and man-made disasters. Food aid, health services and shelter were the most important of those areas. Access to food and the right to food were particularly important, in that they were an integral part of the right to development. Currently, 25 per cent of the Federation's expenditures went on food aid. That percentage was expected to rise drastically in the months and years to come, not least because of the growing number of countries, including huge and highly developed countries such as the Russian Federation, experiencing food shortages.

38. In most disaster situations, health care and shelter were closely related to food aid and accounted for more than

35 per cent of the Federation's total expenditures. In addition, an increasing number of national societies were deeply involved in preventing and responding to infectious diseases such as HIV/AIDS and in community health programmes in general.

39. However, in dealing with food aid, health care, shelter and other basic human rights, the Federation and other members of the humanitarian community were faced with problems which related not only to scarce resources, logistical problems and security, but also to policies imposed by the United Nations, particularly United Nations sanctions. Imposing sanctions revealed a potential fundamental contradiction in working for two of the core objectives of the Security Council: peace and human rights. Sanctions were intended to achieve the former, but risked undermining the latter. According to the principle of proportionality, the harm inflicted by sanctions in order to achieve change should not be disproportionate to the anticipated gains. Since sanctions as instruments of the international will were unlikely to be abandoned, the issue of whether they should be allowed free rein or, like warfare, should operate within prescribed limits was critically important. Sanctions were like unarmed warfare; just as, in international humanitarian law, the end did not justify any means in warfare, so also did the end not justify any means when sanctions were imposed.

40. After several years of sanctions against Iraq, for example, the high price paid by the most vulnerable groups in a population was apparent. At the very least, a formal mechanism should be set up to assess the potential impact of sanctions and monitor their effects. The effective delivery of adequate humanitarian assistance to those most in need also had to be ensured. The diverse humanitarian impact of sanctions could be mitigated by exempting from them United Nations and other well-established humanitarian organizations, such as the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, and facilitating their work in the field.

41. Another major factor affecting the Federation's humanitarian activities and, thereby, the human rights of its beneficiaries was the world financial crisis. He appealed to those who were trying to remedy the crisis not to forget its social and humanitarian aspects. In that connection, he welcomed the emphasis which the United Nations High Commissioner for Human Rights had placed on the elimination of poverty and social exclusion, which might well be the most important human rights objective of the coming century.

42. Mr. Kim Chong-hoon (Republic of Korea) said that the fiftieth anniversary of the Universal Declaration of Human Rights offered an opportunity to review the progress made and to prepare for new challenges through the collective will of the international community. His delegation welcomed the adoption by the Commission on Human Rights of the draft Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and hoped that it would be adopted by the General Assembly. It was encouraged by the Secretary-General's efforts to mainstream human rights in all United Nations activities and programmes. It noted with satisfaction the growing trend of bilateral dialogue and cooperation between Governments and the Office of the United Nations High Commissioner for Human Rights, and also the ongoing review of the human rights mechanisms of the Commission on Human Rights.

43. In the context of current global economic difficulties, it had become increasingly evident that economic, social and cultural rights could no longer be relegated to second place, but must be developed in a mutually reinforcing way with civil and political rights. The right to development was an intrinsic component of economic, social and cultural rights, and his delegation believed that the international community should focus on instituting sustainable actions and programmes to facilitate the early realization of that right worldwide.

44. Based on its own development experience, the Republic of Korea had come to the conclusion that economic and social development was a precondition for the promotion and protection of human rights and democracy. In order for sustainable economic development to be achieved, however, it must be accompanied by the determined efforts of an entire nation to build a democratic society in which respect for human rights and the rule of law were guaranteed for all. An open, pluralist society was not a natural outgrowth of economic development, it needed to be cultivated with perseverance and tenacity by both the Government and the people.

45. The new administration of the Republic of Korea was actively seeking systematic ways to safeguard and promote human rights. It had begun preparations for establishing an independent and effective national human rights commission in the near future, thereby enhancing the mechanisms of human rights protection and raising public awareness.

46. While it was true that there was considerable cultural, historical and political diversity, combined with differing degrees of development, in the Asia and the Pacific region,

that only enriched the region's unique character in the area of human rights. The Asian-Pacific regional workshop on human rights organized by the Office of the United Nations High Commissioner for Human Rights had played an important role in promoting regional cooperation. His country was among those which had called for regular human rights meetings in the region, and it hoped that future workshops would provide a forum for the promotion of awareness and greater observance of human rights in the region.

47. His delegation attached importance to human rights education for the fuller implementation of international human rights norms and the effective prevention of human rights abuses. An international seminar on human rights education had been held in Seoul on 19 October 1998. The Government would continue to participate actively in all United Nations efforts to foster respect for human rights and recognition of their universal and inalienable character, with a view to providing a more secure foundation for peace, security and prosperity throughout the world.

48. **Mr. Rodríguez Parrilla** (Cuba), speaking in exercise of the right of reply, said that the Committee had earlier received a lesson in double standards from the representative of the United States of America, which had included a cynical recognition of that country's shortcomings and a reference to its struggle for true equality. He recalled that, at the previous session of the General Assembly, his delegation had provided the Committee with irrefutable evidence, including names and cases, of human rights violations in the United States. Plentiful information about such violations was available from various sources, including the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (E/CN.4/1998/68/Add.3), which revealed a serious pattern of violations in the application of the death penalty, including a racial bias.

49. It had been reported that, in the United States, illegal immigrants were often imprisoned with common criminals. The long list of violations of immigrants' rights also included the low-intensity war being waged against immigrants along the Rio Grande border with Mexico and the brutality and ill-treatment suffered by immigrants. It had also been reported that women were subject to cruel, inhuman and degrading treatment in state prisons in Michigan, and that even children did not escape the death penalty. Not only was there police brutality, but prisoners in maximum security penitentiaries were subject to ill-treatment. There were also black and Puerto Rican political prisoners in the United States. Ill-treatment of children and young people was rife in juvenile detention

centres, and children were sometimes tried and sentenced as adults.

50. The situation in the United States was one of terrible, systematic violations of human rights, characterized by racism and aberrant behaviour, particularly towards immigrants, yet the Third Committee remained silent. When the United States took it upon itself to lecture the countries of the South on good behaviour and the European Union drew up blacklists and recommended that the countries of the South emulate it, the Third Committee still remained silent.

51. Cuba had been and still was the victim of repeated acts of aggression by the United States of America and found nothing worth emulating in its money-based political system. Cuba felt that it was high time for an end to the double standards and blacklists of Cuba's grand inquisitors to the north, and high time that the Third Committee and the United Nations human rights mechanisms discussed the serious human rights violations taking place in the first world and took a serious look at the incontrovertible, systematic, flagrant and ongoing human rights violations taking place in a country that talked like a democracy, walked like an imperial Power, failed to pay its United Nations dues even as it set about trying to run the Organization and served as an object lesson that double standards should be rooted out of forums such as the Third Committee.

52. **Mr. Najem** (Lebanon), speaking in exercise of the right of reply, wondered what the representative of Israel, speaking in exercise of the right of reply to a statement by the Lebanese delegation, had been talking about when he had mentioned human rights and justice, and what that had to do with the village of Qana, where the Israeli occupation forces had committed genocide by killing 106 civilians, including women, children and old people who had taken refuge in the United Nations compound from Israel's Operation Grapes of Wrath. Qana was known in the Bible as the site of Christ's first miracle, but the Israeli occupation forces were also attempting to destroy the Muslim religion and civilization with their crimes against holy places, not just United Nations compounds.

53. He wondered what principle the representative of the Israeli occupation forces could have been invoking when he had asked the Lebanese delegation not to refer to the Israeli occupation of southern Lebanon. Day in and day out, the Israeli occupation forces killed people and perpetrated acts of aggression against civilians by closing schools and interrupting the course of people's lives, so if there was a principle, it could not be one in which anyone could believe.

54. The right to security of person and the right to life were inalienable human rights, yet every day the Israeli occupation forces tried to stamp them out. The Israeli representative had said that Israel and Israelis had a right to life, but that right did not seem to apply to anyone else.

55. Israel had occupied Lebanon since 1978 and refused to implement Security Council resolution 425 (1978) calling for the immediate and unconditional withdrawal of Israeli troops from Lebanon. There was nothing the occupation forces had not tried against Lebanon: there had been large-scale raids and at one point they had even occupied Beirut. The occupation forces were committing such acts in order to impose their own conditions on Lebanon. However, Lebanon would never accept that the occupation should continue. Peace in Lebanon must be based on the relevant Security Council resolutions, particularly resolution 425 (1978), and on the exchange of land for peace.

56. What the Israeli occupation forces termed terrorism was simply resistance against occupation, a right recognized in such international instruments as the Vienna Declaration and Programme of Action, which spoke of foreign occupation and its impact on human rights. Lebanon's resistance would continue until resolution 425 (1978) was implemented in full.

57. The Israeli representative's comments concerning the implementation of resolution 425 (1978) had been simply allegations designed to hoodwink world public opinion. The only way for Israel to implement the resolution, if indeed it wanted to, was to immediately withdraw its forces. The preconditions set by Israel for doing so were simply attempts to avoid doing what it must and were designed to distract attention from its true intentions.

58. Everyone knew that, in order to exercise the right to peace, people must know the truth. The truth was, quite simply, that people living under occupation suffered. That was why the Third Committee rejected occupation. That was also why he had exercised his right of reply: to explain what was happening in his country.

59. **Mr. Al-Humaimidi** (Iraq), speaking in exercise of the right of reply, stressed a point which he had made in responding to the Special Rapporteur's introduction of his report on the situation of human rights in Iraq (A/53/433), namely, that the human rights record of the United States of America was replete with human rights abuses. United States violations of human rights, beginning with the dropping of the atomic bombs on Hiroshima and Nagasaki and continuing with the chemical poisons dropped on Vietnamese villages and fields, had most recently included the bombing of Iraqi civilian targets in 1991 and the attack

on the al-Shifa factory in 1998. The Iraqi people had forgotten none of those incidents, and the United States representative should think twice before attacking other countries' human rights record.

60. Everyone knew that human rights, including the right to life, were being violated daily in Iraq by the economic blockade. They also knew that the United States was responsible for that blockade and for the refusal to lift it, and that it paid no heed to the nefarious effects of that blockade on the Iraqi people. Everyone knew that any attempt to lift the sanctions imposed by Security Council resolution 661 (1990) would be vetoed by the United States which, on every occasion, had used its veto to rule out cooperation with Iraq.

61. Everyone was aware, moreover, that the aggression against Iraq was continuing. The manoeuvres used against Iraq were well known to one and all. The United States was plotting with a tiny group of Iraqi traitors whom it financed and armed to carry out terrorist acts in Iraq. That group had been given \$97 million to try to eliminate the Iraqi Government and create anarchy in Iraq. Such aggression against Iraq and interference in its internal affairs violated international law and ran counter to the very human rights which the United States claimed to be defending.

62. **Mr. Ndaruzaniye** (Burundi), speaking in exercise of the right of reply, requested the Chairman to transmit the statement by the representative of Tanzania, in which she had criticized the report of the Special Rapporteur on the situation of human rights in Burundi (A/53/490), to the Special Rapporteur so that the Special Rapporteur could respond to it in due course.

63. At the same time, he wished to thank the representative of Tanzania for her positive assessment of the Burundian peace talks, which had just completed their third round in Arusha, Tanzania, and would begin their fourth round in January 1999. In the meantime, the five committees set up under the Arusha peace process would be working under the chairmanship of the panel of eminent persons accepted by the parties to the negotiations, with Mr. Mwalimu Julius K. Nyerere acting as facilitator.

64. His delegation, while welcoming the international community's support for the Arusha peace process, felt that the inequitable economic sanctions imposed on Burundi for over 30 months should not be allowed to go on stifling the country's population. He reiterated that it was to the benefit of neither human rights nor peace to prevent pregnant women and infants from being immunized, farmers from obtaining fertilizer, the chronically ill — such as asthmatics and AIDS sufferers — from receiving their medicines and

schoolchildren from receiving their schoolbooks. The Burundian people were involved in a peace process that enjoyed the support of all parties to the conflict, and the economic sanctions would, sooner or later, be revealed as flagrant violations of human rights and a serious obstacle to that process.

65. **The Chairman** said that the request by the representative of Burundi that the statement by the representative of Tanzania be transmitted to the Special Rapporteur on the situation of human rights in Burundi had been duly noted.

The meeting rose at 5.20 p.m.